

EXHIBIT 1

Message

From: Rutowski, Diana [drutowski@orrick.com]
Sent: 11/15/2019 11:10:48 AM
To: Herrera, Nicholas Timothy [nherrera@mofo.com]; Shaffer, Nathan [nshaffer@orrick.com]; Aghnami, Eileen Z. [eaghnami@orrick.com]
CC: Taylor, Jennifer Lee (SF) [jtaylor@mofo.com]; Sandoval, Robert Santos [rsandoval@mofo.com]
Subject: RE: Lambda Labs, Inc. v. Lambda, Inc. (Case No. 4:19-cv-04060)--Rule 26(f) conference
Flag: Follow up

- External Email -

Hi Jennifer and Nick,

In advance of the Rule 26(f) conference set for Tuesday, we want to alert you and your client to a new development. Lambda, Inc. has acquired a trademark portfolio consisting of the lambda character mark (λ) and the word mark RED LAMBDA, as well as various formatives of the logo and word mark (e.g. U.S. Reg. Nos. 4113747, 4116915, 4113746, 4107473, 4113748). Lambda, Inc.'s use of the marks can be found here: <https://lambdaschool.com/redlambda>.

We believe this is a gamechanger in the litigation. Lambda, Inc.'s new portfolio has priority over your client's use and registration of its marks, and if your client intends to pursue the litigation, Lambda, Inc. plans to supplement its pleadings to assert counterclaims.

Nevertheless, our client would prefer to spend its resources on its business than litigation and remains interested in coexistence and creative solutions. While we maintain that generally there's no likelihood of confusion among Lambda, Inc.'s education and financial services business and your client's business, if forced, our client is prepared to pursue aggressively all options in the lawsuit and we see the inevitable result of protracted litigation as a win for our client.

Feel free to call me (or Cecilia invites you to call her) in the meantime; otherwise, we are hopeful for a productive discussion Tuesday. We'd ask that the schedule you present take into account Lambda, Inc.'s proposed supplemental pleading as well as discovery associated with same.

Thanks,
Diana

From: Herrera, Nicholas Timothy <NHerrera@mofo.com>
Sent: Thursday, November 14, 2019 10:08 AM
To: Shaffer, Nathan <nshaffer@orrick.com>; Rutowski, Diana <drutowski@orrick.com>; Aghnami, Eileen Z. <eaghnami@orrick.com>
Cc: Jennifer L. Taylor <jtaylor@mofo.com>; Sandoval, Robert Santos <RSandoval@mofo.com>
Subject: RE: Lambda Labs, Inc. v. Lambda, Inc. (Case No. 4:19-cv-04060)--Rule 26(f) conference

Thanks, Nathan. Let's do 10 am. I'll send a dial-in.

NICHOLAS HERRERA

Associate | Morrison & Foerster LLP
425 Market St. | San Francisco, CA 94105
P: +1 (415) 268-7603
mofo.com | [LinkedIn](#) | [Twitter](#)

From: Shaffer, Nathan <nshaffer@orrick.com>
Sent: Wednesday, November 13, 2019 11:07 AM

To: Herrera, Nicholas Timothy <NHerrera@mofo.com>; Rutowski, Diana <drutowski@orrick.com>; Aghnami, Eileen Z. <ceaghnami@orrick.com>
Cc: Taylor, Jennifer Lee (SF) <JTaylor@mofo.com>; Sandoval, Robert Santos <RSandoval@mofo.com>
Subject: RE: Lambda Labs, Inc. v. Lambda, Inc. (Case No. 4:19-cv-04060)--Rule 26(f) conference

- External Email -

Nick,

The 19th looks good—10–11am or after 1pm are open. Feel free to send a dial-in for a time in either window.

Thanks,
Nathan

From: Herrera, Nicholas Timothy <NHerrera@mofo.com>
Sent: Saturday, November 9, 2019 7:36 AM
To: Rutowski, Diana <drutowski@orrick.com>; Shaffer, Nathan <nshaffer@orrick.com>; Aghnami, Eileen Z. <ceaghnami@orrick.com>
Cc: Jennifer L. Taylor <jtaylor@mofo.com>; Sandoval, Robert Santos <RSandoval@mofo.com>
Subject: Lambda Labs, Inc. v. Lambda, Inc. (Case No. 4:19-cv-04060)--Rule 26(f) conference

Counsel,

Please let us know your availability for a Rule 26(f) conference on November 18 or 19.

Best,
Nick

NICHOLAS HERRERA

Associate | Morrison & Foerster LLP
425 Market St. | San Francisco, CA 94105
P: +1 (415) 268-7603
mofo.com | [LinkedIn](#) | [Twitter](#)

=====

This message may be confidential and privileged. Use or disclosure by anyone other than an intended addressee is prohibited. If you received this message in error, please delete it and advise the sender by reply email. Learn about Morrison & Foerster LLP's [Privacy Policy](#).

NOTICE TO RECIPIENT | This e-mail is meant for only the intended recipient of the transmission, and may be a communication privileged by law. If you received this e-mail in error, any review, use, dissemination, distribution, or copying of this e-mail is strictly prohibited. Please notify us immediately of the error by return e-mail and please delete this message from your system. Thank you in advance for your cooperation.

For more information about Orrick, please visit <http://www.orrick.com>.

In the course of our business relationship, we may collect, store and transfer information about you. Please see our privacy policy at <https://www.orrick.com/Privacy-Policy> to learn about how we use this information.

This message may be confidential and privileged. Use or disclosure by anyone other than an intended addressee is prohibited. If you received this message in error, please delete it and advise the sender by reply email. Learn about Morrison & Foerster LLP's [Privacy Policy](#).

NOTICE TO RECIPIENT | This e-mail is meant for only the intended recipient of the transmission, and may be a communication privileged by law. If you received this e-mail in error, any review, use, dissemination, distribution, or copying of this e-mail is strictly prohibited. Please notify us immediately of the error by return e-mail and please delete this message from your system. Thank you in advance for your cooperation.

For more information about Orrick, please visit <http://www.orrick.com>.

In the course of our business relationship, we may collect, store and transfer information about you. Please see our privacy policy at <https://www.orrick.com/Privacy-Policy> to learn about how we use this information.